

H-8433

1 Amend House File 2375 as follows:

2 1. By striking everything after the enacting clause
3 and inserting:

4 <Section 1. NEW SECTION. 476D.1 Definitions.

5 As used in this chapter, unless the context
6 otherwise requires:

7 1. "*Board*" means the utilities board within the
8 utilities division of the department of commerce.

9 2. "*Dairy producer*" means any person or entity that
10 owns or operates a dairy farm or that owns cows that do
11 or are intended to produce milk.

12 3. "*Utility*" means a public utility as defined in
13 section 476.1 or, for purposes of this chapter, any
14 other person owning or operating more than one thousand
15 five hundred miles of transmission lines and associated
16 facilities in this state.

17 Sec. 2. NEW SECTION. 476D.2 Utility inspections —
18 stray current or voltage.

19 1. A dairy producer in this state that claims that
20 its dairy cows are being affected by stray current
21 or voltage shall provide written notice to a utility
22 providing electric service to the dairy producer and
23 may provide written notice to the board. The notice
24 shall include a nonbinding statement as to why the
25 dairy producer claims its dairy cows are being affected
26 by electrical energy attributable to the utility.

27 2. a. Within fourteen business days after receipt
28 of a notice alleging stray current or voltage by a
29 utility pursuant to subsection 1, the utility shall
30 take or arrange for the taking of measurements to
31 identify the existence and magnitude of the stray
32 current or voltage, if any. A dairy producer providing
33 notice of the claim shall permit entry onto the dairy
34 farm at dates and times mutually agreed upon by the
35 dairy producer and the utility. The utility shall
36 perform no other service or inspection on the dairy
37 farm beyond taking measurements of stray current
38 or voltage, except the utility may advise the dairy
39 producer as to recommended on-farm remedial action
40 and may perform such on-farm remedial action with the
41 permission of the dairy producer. The utility or
42 its representative shall abide by the dairy farm's
43 biosecurity protocols or, if none, generally accepted
44 biosecurity protocols in the industry, prior to entry
45 onto the dairy farm. The utility shall be provided
46 advance notice of any biosecurity protocols adopted by
47 the dairy producer.

48 b. A dairy producer may include with the notice
49 provided pursuant to subsection 1, or in a subsequent
50 notice, a written request for the board to take or

1 arrange for the taking of separate and independent
2 measurements to identify the existence and magnitude
3 of stray current or voltage, if any. Such a request
4 may also be made by the utility. Measurements by the
5 board shall be taken by a representative of the board
6 directly, or by a neutral third-party expert selected
7 by the board for such purposes. A dairy producer
8 providing notice of the claim shall permit entry onto
9 the dairy farm at dates and times mutually agreed upon
10 by the dairy producer and the board, a representative
11 of the board directly, or by a neutral third-party
12 expert selected by the board for such purposes. The
13 board or a selected third-party expert shall perform
14 no other service or inspection on the dairy farm
15 beyond taking measurements of stray current or voltage,
16 except the board or third-party expert may advise the
17 dairy producer as to recommended on-farm remedial
18 action. The board or the third-party expert shall
19 abide by the dairy farm's biosecurity protocols or,
20 if none, by generally accepted biosecurity protocols
21 in the industry, prior to entry onto the dairy farm.
22 The board shall be provided advance notice of any
23 biosecurity protocols adopted by the dairy producer.
24 The board shall subsequently prepare or cause to be
25 prepared a determination of source document which shall
26 be made available to both the dairy producer and the
27 utility.

28 Sec. 3. NEW SECTION. **476D.3 Rules.**

29 The board shall by rule establish procedures and
30 protocols to be used for the measurement of stray
31 current or voltage. The board shall review the rules
32 from time to time, or upon petition to the board, to
33 ensure that the procedures and protocols continue to
34 be scientifically and technologically accurate and a
35 reliable means of detecting stray current or voltage.>

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